



TOWN OF BEAUX ARTS VILLAGE

PLANNING COMMISSION

MINUTES

November 18, 2004

Stefan

Present: Acting Chairman Andy Stefan, Commissioners, Sylvia Hobbs, Dennis Casey and Jake Donoghue.

Guests: Town Planner Mona Green

Deputy Town Clerk: Betsy Donworth

Acting Chairman Stefan called the meeting to order.

Minutes: Commissioner Casey moved to approve the Minutes of the August 18, 2004 meeting. Commissioner Hobbs seconded. Motion carried unanimously.

Building Height, Landscape Structures in Setbacks, Establishing Existing Grade: Mona Green discussed proposed modifications she has made to Zoning code 289, which address allowing certain landscape features in property setbacks and revisions to definitions/rules dealing with the measurement of building height. Her proposed changes included the following:

- A. **Measurement of building height:** The maximum height of any building or structure shall not exceed 30 feet (at any point) above *existing and finished grade (p. 13 8D)*. The definition of base elevation has been deleted (p. 2), existing grade is defined as the surface level at *any point on a lot* prior to any grading or alteration of the ground surface (p. 3), and the height of a structure is now defined as the greatest distance measured vertically from *any point* on the structure to the *existing grade (p. 7)*.
- B. **Landscape structures in the setbacks:** Section 8H (p.14) now states that “the following structures may be allowed within setback areas: fences, retaining walls; rockeries up to 30” tall; ornamental landscape structures up to 30” tall; garden trellis gates up to 8’ tall. The definition of setback has been changed by deleting “fences and retaining walls may be located without regard to any setback restrictions” (p. 9).

The Commissioners agreed unanimously to forward these proposals to the Town Council for their review and comments.

Topographical Survey/Building permit applications:

The Planning Commission has also suggested modifications to BAV's building permit application that will assist in verifying the existing grade of a piece of property.

There was some discussion on what degree of alteration to the grade would trigger the necessity of a topographic survey. Jake and Mona will get clarification that UBC requirements state that the existing grade can't be changed by more than 3 feet. After further discussion, the Commissioners agreed that The building permit application instructions will be changed to include an additional requirement. In order to establish the existing grade of the property, the permit applicant must submit a topographic survey at the time of application for 1) a demolition permit, 2) a building permit for reconstruction or remodel that involves work on the foundation and/or roofline of the existing structure, or 3) landscape projects that alter the existing grade of the property. This suggested revision will be sent to the Town Council for comments along with suggested changes to 289.

Fences: The commissioners discussed the definition of a fence, and the issue of what a fence should be constructed of. The concern is that property owners will construct large water features in the setback.

Board Terms: Commissioner Hobbs stated that Commissioner Stefan's term is up at the end of December 2004; Stefan stated that he will agree to take on the position for another term, subject to approval by Mayor Lowry.

Meeting Attendance: Commissioner Hobbs emphasized the importance of adhering to the Planning Commission meeting schedule so that nine meetings are actually held each year.

ADJOURN: Acting Chairman Stefan moved to adjourn. Commissioner Hobbs seconded. Motion carried unanimously.

Respectfully submitted,

Betsy Donworth
Deputy Town Clerk